

		YEAS.	
Blassingame,	Ford,	Ledbetter,	Storey,
Brown,	Gooch,	Martin,	Street,
Buchanan,	Hobby,	McCulloch,	Terrell,
Duncan,	Lair,	Moore,	Tilson--18.
Edwards,	Lane.		

		NAYS.	
Burnett,	Guy,	Motley,	Shannon,
Burton,	Homan,	Patton,	Stewart,
Davenport,	Houston,	Ripetoe,	Swain--13.
Grace,			

The bill was then ordered engrossed by the following vote:

		YEAS.	
Blassingame,	Edwards,	Lane,	Storey,
Brown,	Ford,	Ledbetter,	Street,
Buchanan,	Gooch,	Martin,	Terrell,
Burton,	Hobby,	McCulloch,	Tilson--19.
Duncan,	Lair,	Moore,	

		NAYS.	
Burnett,	Guy,	Motley,	Shannon,
Davenport,	Homan,	Patton,	Stewart,
Grace,	Houston,	Ripetoe,	Swain--12.

Senator Hobby moved to suspend the rules and place the bill on its third reading.

Lost by the following vote, it taking four-fifths to suspend:

		YEAS.	
Blassingame,	Edwards,	Lane,	Storey,
Brown,	Ford,	Ledbetter,	Street,
Buchanan,	Gooch,	Martin,	Terrell,
Burnett,	Hobby,	McCulloch,	Tilson--19.
Duncan,	Lair,	Moore,	

		NAYS.	
Burnett,	Guy,	Motley,	Shannon,
Davenport,	Homan,	Patton,	Stewart,
Grace,	Houston,	Ripetoe,	Swain--12.

Senator Ford (by leave) introduced a bill entitled "An act amendatory of and supplementary to 'an act amending and supplementing articles 4662, 4663, 4664, 4665, 4666, 4667 and 4668, inclusive, of chapter 1 of title 94 of the Revised Civil Statutes,' adopted February 21, 1879."

Read by caption and referred to the committee on finance.

On motion of Senator Brown the Senate adjourned until 10 o'clock to-morrow morning.

SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 17, 1879. }

Senate met pursuant to adjournment; president in the chair. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Burton, the reading of the journals of yesterday was dispensed with and same adopted.

Senator McCulloch presented the following invitation from President Thomas S. Gathright, of the Agricultural and Mechanical College of Texas at Bryan:

COLLEGE STATION, BRAZOS COUNTY, June 15, 1879.

Hon. J. D. Sayers, Lieutenant Governor and President of the Senate:

I have the honor to inform you, and through you the Senate of the State of Texas, that the third annual commencement of the State Agricultural and Mechanical College of Texas will occur on Wednesday, the twenty-fifth instant. The exercises of the occasion begin on Sunday, the twenty-second. I have the further honor to invite yourself and the Senate to visit the college on that occasion. Whilst other institutions have different communities and organizations to encourage and foster them, the Agricultural and Mechanical College, the child of the state, looks to the Legislature, and to the Legislature alone, for that parental care necessary now in its struggles for securing to it strength and matured usefulness, of which its earliest years give so much promise.

With the utmost respect and consideration for yourself, and for each senator of the Sixteenth Legislature, I have the honor to be your obedient servant,

THOS. S. GATHRIGHT,
Pres't State A. and M. College of Texas.

Read and referred to committee on education.

Senator Storey, chairman of the committee on finance, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 16, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on finance to whom was referred Senate bill No. 31, entitled "An act making an appropriation for services rendered by, and supplies furnished to troops called out by Governor Hubbard to suppress the insurrection at El Paso, on the fifteenth of December, 1877," have carefully considered the same, and I am instructed by the committee to report the bill back to the Senate with the accompanying substitute and to recommend the passage of the substitute. STOREY, *Chairman.*

Substitute reported by the committee read first time.

Senator Swain, chairman of committee on penitentiary, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 17, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on penitentiaries, to whom was referred Senate bill No. 16, "An act to provide for the resumption of the state penitentiaries, and provide means to carry on the same," have had the bill under consideration, and a majority of said committee instruct me to report it back to the Senate and recommend that the bill do not pass.

SWAIN, *Chairman.*

Senator Gooch submitted the following minority report on the bill just reported:

COMMITTEE ROOM, AUSTIN, June 17, 1879.

Hon. J. D. Sayers, President of the Senate:

The undersigned minority of the committee on penitentiaries beg leave to present this minority report on Senate bill No. 16, entitled "An act to provide for the resumption of the state penitentiary, and to provide means to carry on the same." The majority of the committee have recommended that it do not pass. We think that a bill should pass having in view the object of this one. It is intended to provide money to enable the governor of the state to feed, clothe and guard the con-

victs, and provide means of employment for them, in case the lessees of the penitentiary should fail or abandon their contract, and to make repairs in case of accident. We should provide against a contingency which may happen at any time in the management of the penitentiary. In the absence of an appropriation, the governor might be forced to call an extra session of the Legislature, at great expense, in case the state should be compelled to assume control from any cause. The money will not be used unless it becomes necessary—and if necessary it should be in a condition to be used. We recommend that the bill be amended by striking out "sixty thousand" and inserting "thirty thousand," and as amended the bill do pass.

GOOCH,
TILSON,
STOREY,
BROWN,
DUNCAN.

Bill read first time.

Senator Brown, chairman of committee on engrossed bills, submitted the following report:

COMMITTEE ROOM, AUSTIN, June 17, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on engrossed bills have examined substitute Senate bill No. 1, entitled "An act supplemental to 'an act to make appropriation for the support of the state government for the years beginning March 1, 1879, and ending February 28, 1881,' approved April 23, 1879, and providing for the payment of a portion of the interest therein vetoed," and herewith return the same correctly engrossed.

BROWN, *Chairman.*

Senator Storey offered the following resolution:

Resolved, That the finance committee be authorized to employ a clerk for said committee, and that said clerk, when not employed by said committee, be required to perform any other similar duty that may be required of him by the Senate or any committee thereof.

Senator Motley offered the following resolution:

Resolved, That each senator be allowed to subscribe for twelve copies of such daily newspapers during the present session of the Legislature, as he may select, to be paid for out of the contingent fund; *provided*, said newspapers shall not cost more than four cents per copy; *and provided further*, that said papers shall contain a synopsis of the proceedings of the Senate.

Senator Lair moved to lay the resolution on the table.

Lost by the following vote:

YEAS.			
Blassingame,	Edwards,	Grace,	Martin,
Buchanan,	Ford,	Hobby,	Storey,
Burnett,	Gooch,	Lair,	Swain 12.
NAYS.			
Brown,	Houston,	Moore,	Shannon,
Burton,	Lane,	Motley,	Street,
Davenport,	Ledbetter,	Patton,	Terrell.
Duncan,	McCulloch,	Ripetoe,	Tilson—17.
Homan,			

Not voting—Guy, Stewart.

Senator Brown offered the following amendment:

Strike out "12" and insert "1,"

Lost by the following vote:

Blassingame,	Duncan,	YEAS.	Grace,	Lane,
Brown,	Ford,		Hobby,	Martin,
Buchanan,	Gooch.		Lair,	Storey--12.

Burnett,	Homan,	NAYS.	Moore.	Shannon,
Burton,	Houston.		Motley.	Street,
Davenport,	Ledbetter,		Patton,	Terrell,
Edwards,	McCulloch,		Ripetoe.	Tilson--17.
Guy,				

Not voting—Stewart, Swain.

Senator Lane offered the following:

Amend by inserting "5" where the number of "12" appears.

Withdrawn.

Senator Gooch moved to refer the pending resolution to the committee on public printing.

Senator Brown offered the following amendment:

Strike out "12" and insert "2."

Senator Gooch withdrew his motion to refer the resolution.

Senator Duncan moved the previous question on the resolution and amendments.

Seconded and the main question ordered.

Senator Brown's amendment was lost by the following vote:

Blassingame.	Gooch,	YEAS.	Lair,	Stewart,
Brown,	Grace,		Lane,	Storey,
Buchanan.	Hobby,		Martin,	Swain--13.
Duncan,				

Burnett,	Guy,	NAYS.	Moore,	Shannon,
Burton,	Homan,		Motley,	Street,
Davenport.	Houston,		Patton,	Terrell,
Edwards,	Ledbetter,		Ripetoe,	Tilson--18.
Ford.	McCulloch,			

The resolution of Senator Motley was then lost by the following vote:

Burton,	Houston,	YEAS.	Patton,	Street,
Davenport,	Ledbetter,		Ripetoe,	Terrell,
Guy,	Moore,		Shannon,	Tilson--14.
Homan,	Motley.			

Blassingame.	Duncan.	NAYS.	Grace,	Stewart,
Brown,	Edwards,		Hobby,	Storey,
Buchanan,	Ford,		Lair,	Swain--15.
Burnett,	Gooch.		Martin,	

Not voting—Lane, McCulloch.

Senator Storey introduced a bill entitled "An act to amend the first section of an act entitled 'an act authorizing the payment of taxes of non-residents of counties to be made at the comptroller's office,' approved March 22, 1879."

Referred to the committee on finance.

Senator Lane introduced a bill entitled "An act to require the owners of surveys of land to pay the patent fee therefor before filing the field notes of the same in the general land office."

Referred to the committee on general land office.

Senator Patton introduced a bill entitled "An act to require money collected on forfeited bail bonds and recognizances to be paid over to the state in certain cases."

Referred to judiciary committee No. 2.

Senator Houston offered the following resolution:

Be it resolved, That the Senate rules be amended by the addition of the following rule:

"No. 91a. When the previous question has been seconded, and a call of the Senate has been made pending such call, and before the absentees have appeared, a motion to adjourn is in order."

Senator Houston moved to suspend the rules and take up the resolution

Motion to suspend the rules was withdrawn and the resolution referred to committee on rules.

Senator Grace offered the following resolution:

WHEREAS, A great many bills are usually passed containing the emergency clause without a two-thirds vote; and

Whereas, it would be a saving to the state in copying and printing to strike out the emergency clause when bills pass without a two-thirds vote; therefore,

Resolved, That when any bill is passed, which contains the emergency clause, without a two-thirds vote, it shall be the duty of the secretary of the Senate to strike out said clause.

Senator Brown moved to refer to the committee on rules.

Carried.

Senator Storey offered the following resolution:

WHEREAS, The sergeant-at-arms is detained at home and prevented by ill health from attending this the extra session of the Sixteenth Legislature; and

Whereas, it is necessary that there should be a full corps of efficient officers present and for duty.

First. *Resolved*, That the Senate declare the office of sergeant-at-arms vacant, and that it proceed at once to the election of a sergeant-at-arms.

Second. *Resolved*, That in taking this action the Senate does so with a full appreciation of Col. Barton, the present sergeant-at-arms, and only because the necessities of the case demand it.

The president laid the following communication from the comptroller before the Senate:

COMPTROLLER'S OFFICE,
AUSTIN, TEXAS, June 14, 1879. }

Hon. J. D. Sayers, President of the Senate:

SIR—In response to a resolution of the honorable Senate, propounding to the comptroller certain questions herein set forth touching the finances of the state, I beg to hand you the following answers in reply thereto.

Question 1. "The estimated taxable value of property of this state for the year 1879, including property in both organized and unorganized counties?"

Answer 1. Estimated taxable value of property in organized counties \$300,000,000; estimated taxable value of property in unorganized counties, valuing the lands at fifty cents per acre, \$7,500,000.

Question 2. "The tax thereon?"

Answer 2. Tax on property in organized counties, \$1,500,000; tax on property in unorganized counties, \$37,500.

Question 3. "The estimated cost of assessing and collecting this tax, including the delinquent taxpayers?"

Answer 3. Estimated cost of assessing, \$75,000; estimated cost of collecting, \$50,000; delinquent taxpayers, \$300,000.

Question 4. "The estimated net amount to be derived from occupation taxes for the year 1879?"

Answer 4. Estimated occupation taxes to be received (net), \$350,000.

Question 5. "The total estimated net amount of ad valorem and occupation taxes for the year 1879?"

Answer 5. Estimated net amount of ad valorem and occupation taxes for the year 1879, \$1,462,500.

Question 6. "The estimated one-fourth of the ad valorem and occupation taxes for 1879?"

Answer 6. Estimated fourth of occupation and ad valorem taxes, \$365,625.

Question 7. "The total estimated net amount of the ad valorem and occupation taxes for 1879, after deducting the one-fourth for school purposes?"

Answer 7. Total estimated net amount after deducting the one-fourth for school purposes, \$1,096,875.

Question 8. "The estimated net amount to be received into the treasury from the general land office for the year 1879?"

Answer 8. The commissioner of the general land office gives the estimate to be received from fees to August 21, 1880, \$65,000. la

Question 9. "The estimated net amount which will be paid into the treasury for the year 1879, from all other departments of the state government, including the secretary of state's office, lessee of the penitentiary, etc?"

Answer 9. Estimated receipts from office of secretary of state, \$3000; department of insurance, statistics and history, \$1500; estimated amount to be received from lessees of penitentiary \$60,000, but which is to be expended in completing the East Texas Penitentiary.

Question 10. "The estimated net amount to be received into the treasury for the year 1879, from this date, on assessment of 1878?"

Answer 10. The estimated net amount to be received into the treasury for the year 1879, from this date, on assessment of 1878, \$154,000. This is considered a very low estimate.

Question 11. "The estimated net amount to be received into the treasury, as general revenue, from the extra poll tax?"

Answer 11. Estimated net amount of revenue to be received from the extra poll tax, \$125,000.

Question 12. "The estimated net amount which will come into the treasury from all other sources?"

Answer 12. Estimated amount to be received from back taxes on lands in unorganized counties, \$13,500. No other sources are considered, on the absence of data upon which to make reasonable estimates.

Question 13. "Total estimated net amount to come into the state treasury as general revenue, from all of the above and before mentioned sources, after deducting one-fourth of the ad valorem tax and occupation tax as above?"

Answer 13. Estimated net amount, after deducting one-fourth, as above, \$1,420,375.

Question 14. "The amount of money now in the treasury belonging to the general revenue?"

Answer 14. Cash revenue in hands of treasurer, June 12, 1879, \$479,199 37.

Question 15. "The total amount of money in the treasury, and to come into the treasury, on the above estimates, for the year 1879?"

Answer 15. Total receipts as per above estimate, \$1,899,574 37.

Question 16. "The total amount of the appropriation made (but a part of which was vetoed), for the years ending twenty-eighth of February, 1880 and 1881, including the \$400,000 to pay interest, and the \$100,000 as a sinking fund, respectively?"

Answer 16. Total appropriation for the year ending February 28, 1880, \$1,223,758; total appropriation for the year ending February 28, 1881, \$1,123,942.

Question 17. "The total amount of the floating indebtedness outstanding against the general revenue?"

Answer 17. If in this question the deficiency debt is not included, there will stand, nothing. If the deficiency debt is included, amount will be as follows, viz: Deficiency appropriation, \$293,606; additional deficiency appropriation necessary, \$115,000; deficiency in current appropriations, \$91,000. The deficiency appropriation amounts to \$523,993, of which \$230,387 is held by the state for account of sheriffs, and for which no money is to be withdrawn from the treasury, one-fourth of which, when settled, will be transferred to school fund.

Question 18. "The amount of the bonded debt of the state which is held by individuals, and the amount held by the state in trust for the public free schools, Agricultural and Mechanical College fund and University fund?"

Answer 18. The bonded debt of the state is held as follows: School fund, \$1,135,448; University fund, \$237,996; Agricultural and Mechanical College fund, \$209,000; Blind Asylum fund, \$4,470; Lunatic Asylum fund, \$3,500; Deaf and Dumb Asylum fund, \$7,500; amount held by individuals, \$3,438,195.

Question 19. "The estimated taxable value of merchandise held by merchants in this state, for the years 1878 and 1879?"

Answer 19. Estimated value of merchandise, \$15,356,336.

Question 20. "In making the foregoing estimates have you taken into consideration the new laws passed by the Sixteenth Legislature in relation to the assessment and collection of taxes?"

Answer 20. The new sources of revenue, opened by the Sixteenth Legislature, have not been considered (having no data upon which to make estimates), except as they affect the cost of collection of taxes.

Question 21. "How much do you estimate the general revenue will be increased by said late enactments?"

Answer 21. I believe the revenue will be increased to some extent under the operation of the new laws, but, having no data, I have made no estimate of the same.

Question 22. "What amount of money he estimates will remain in the treasury on the thirty-first day of August, 1880, if the deficiency since August 31, 1876, be liquidated and paid; and all amounts which under existing laws, should have been set aside to create a sinking fund to pay the public debt be reserved; and that said estimate be made without reference to appropriations for public schools?"

Answer 22. Disbursing the revenue as above, there will be no balance in the treasury at the date indicated. Reference is made to question No. 32 for a detailed reply to this question.

Question 23. "How much will be the deficiency on the first day of January, 1880, and on the twenty-ninth day of February of 1880; and will the state owe any debts at those dates, and how much and nature of said debt? Show for first of January and twenty-eighth of February, also."

Answer 23. If in this question it is considered that all deficiencies are to be paid out of the current revenues, the back sinking fund set aside and one-fourth of the general revenue set apart for the benefit of public free schools, there will be a deficiency in January and February, 1880, but no deficiency in 1881.

Question 24. "What was the amount received from occupation tax during the year ending August 31, 1878? What is the amount of the deficiency, if any, that is not included in the deficiency bill passed at the regular session of the Sixteenth Legislature?"

Answer 24. In answering the above question as to occupation taxes, I will say that the periods for which reports of collections for occupation taxes are by law required to be made, do not run with the fiscal year. The fiscal year begins September 1 and the tax year begins January 1. Up to August 31, 1878, only two reports of occupation taxes were received. It is estimated that the net amount collected from September, 1877, to September, 1878, was \$350,000. The amount of the deficiency, not included in the deficiency bill, passed by the Sixteenth Legislature, is estimated to be \$115,000.

Question 25. "And also be requested to report, at once, the statement of the condition of accounts of collectors, called for by the resolution passed at regular session of the Sixteenth Legislature?"

Answer 25. The resolution mentioned above, calls for detailed statements of the accounts of each collector of the state for the years 1876 and 1877, involving over three hundred statements of accounts. When it is considered that this work must be done by one man, in addition to the current work of the same character, its magnitude will readily be seen. This statement is in progress, and will be finished as soon as practicable.

Question 26. "The amount of state occupation taxes collected in 1878, which is not shown in comptroller's report to first session of the Sixteenth Legislature; and why does it not appear in said report?"

Answer 26. The amount of state occupation tax reported during the year 1878, \$378,493 29; amount received by the commissioner of insurance, \$11,000. This report was not made to August 31, 1878, and included in the report to that date, for the reason given in answer No. 24—the tax year and the fiscal year closing at different dates, and reports had been received for only one-half of the year.

Question 27. "And state whether any sinking fund was set aside for the years ending December 31, 1877, and December 31, 1878, and what was the amount appropriated, and why was it not set aside? State what amount was in the treasury April 24, 1879, and what was the warrant and other floating indebtedness of the state? What is the interest-bearing bonded indebtedness of the state at this time?"

Answer 27. The law vests in the treasurer only the authority to set aside the sinking fund. I have no information that the same has been set aside. The amount appropriated for the year ending December,

1877, and December, 1878, was \$233,333 33; the interest-bearing bonded debt amounts at this date to \$5,036,109; cash in treasury on April 24, 1879, \$212,678; warrants unpaid April 24, 1879, and other floating debt, exclusive of deficiency, \$32,149.

Question 28. "How much of reported deficiency to date, belongs to the state, and how much to individuals and corporations?"

Answer 28. Of the deficiency debt the state holds \$230,387; and it is estimated that there is held by individuals \$408,606.

Question 29. "If you say, in answer to item twenty-eighth, that the state is the owner of a part of its own floating indebtedness, explain how it can be the owner of its own floating debt?"

Answer 29. The sheriff in nearly every county of the state is *ex-officio* collector of taxes. The annual assessment rolls, when completed, are placed in his hands for collection, and he is charged with the full amount of said rolls, and is considered a debtor to the state until the whole amount of said assessment roll is accounted for, as the law directs. In his capacity of sheriff the state becomes indebted to him for such fees, in felony cases, as are allowed by law. Being in arrears with the state on the assessment roll, the comptroller is prohibited by law from drawing a warrant in his favor. (See Paschal's Digest, article 5420, page 926.) And the same are held for his credit on final settlement of his account.

Question 30. "If the appropriation of a proportionable part of the general revenue is made for the support of free common schools, instead of making such appropriation specific, will there or not be funds in the treasury to pay expenses of the government at all times?"

Answer 30. The effect upon the treasury will depend upon the amount appropriated. Should a proportionate part of the general revenue be appropriated, and the collectors of the counties be required to pay the same in the counties, out of the first money collected, remittances to the treasury will, of course for the time being, be suspended; necessitating, probably, during such suspension, a failure to cash at all times warrants as presented at the treasury. The same will be true of a specific appropriation, if payment is required out of the first money collected.

Question 31. "What was the amount of warrants drawn and unpaid, for want of funds in the treasury, August 31, 1877, and amount drawn and unpaid, for want of funds in the treasury, August 31, 1878?"

Answer 31. Warrants unpaid August 1, 1877, \$104,932 76; cash revenue in treasury August 31, 1877, \$44,554 08; warrants unpaid August 31, 1878, \$34,064 05; cash in treasury August 31, 1878, \$110,113 62.

Question 23. "Has there been a revenue deficiency in state finances since 1874? If so, how much each year? Please state fully the basis upon which you estimate the amount of total revenue and expenditures for the present and next fiscal year, together with the source of revenue, and the respective amounts to be derived from each? In calculating expenditures do you subtract from total revenue the amount of total expenditures. or total amount of appropriation for the current year?"

Answer 32. Floating debt outstanding August 31, 1875, consisting of warrants unpaid, interest due A. and M. College unpaid, \$448,305 52; appropriation made for deficiencies to August 31, 1875, \$342,495 13; total floating debt, August 31, 1875, \$790,800 65; cash revenue in treasury, August 31, 1875, \$109,438 61; floating debt, August 31, 1876, consisting of unpaid warrants and interest due A. and M. College, \$265,-

434 57; deficiency to that date for which appropriation was made, \$166,770 39; total floating debt, August 31, 1876, \$432,204 97; cash revenue in treasury, August 31, 1876, \$6,714 21; floating debt, June 12, 1879, as per deficiency appropriation of the Sixteenth Legislature, less amount held by the state, \$293,606; estimated deficiency in above appropriation, \$115,000; total floating debt, June 12, 1879, \$408,606; cash revenue in treasury, June 12, 1879, \$479,199 37.

Estimate of cash on hand, receipts and disbursements from June 11, 1879, to August 31, 1880, no deduction for school fund being made except on revenues estimated to be paid into the treasury, one-fourth of which is required to be set aside for school fund, by virtue of former appropriation.

RECEIPTS.

1. Cash in treasury, June 11, 1879.....	\$479, 199
2. Collections to be made on assessments of 1878.....	154,000
3. Collections due from sheriffs, to be applied to settlement of their claims against the state.....	230,387
4. Occupation taxes from June 11 to August 31, 1879.....	87,500
5. Net ad valorem taxes on assessments of 1879.....	1,075,000
6. Net revenue poll tax.....	125,000
7. Net occupation tax from September 1, 1879, to August 31, 1880.....	350,000
8. Net taxes on lands in unorganized counties.....	50,000
9. Fees from land office.....	65,000
10. Fees from secretary of state's office.....	3,000
11. Fees from insurance department.....	1,500
Total	\$2,620,586

Deduct for school fund one-fourth of items 2, 3 and 4, aggregating \$471,887, by virtue of former appropriation... 117,972

Total for state revenue..... \$2,502,614

DISBURSEMENTS.

1. Amount to be paid on current appropriation from June 11, 1879, to February 28, 1880.....	964,569
2. Amount to be paid on appropriation for year ending Feb- ruary 28, 1881, from March 1, 1880, to August 31, 1880, (6 months).....	561,961
3. Amount necessary to meet deficiency appropriation of 1879	523,993
4. Amount necessary to meet deficiency in above appropria- tion.....	115,000
5. Deficiency in current appropriation.....	91,530
6. Deficiency in appropriation from March 1, 1880, to August 31, 1880.....	40,765
7. Expenses of extra session Sixteenth Legislature.....	50,000
8. Sinking fund appropriated by the Fifteenth Legislature, from September 1, 1876, to December 31, 1878... ..	233,333
Total	\$2,581,151

SUMMARY.

Disbursements to August 31, 1880.....	2,581,151
Receipts	2,502,614

Deficiency in revenue.....	\$78,537
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The deficiency that appears above, of \$78,537, is based upon considering as a disbursement the \$400,000 annual interest in the public debt. The above amount is in excess of the actual annual interest that can be used on the present bonded debt by \$31,633 30, which should be deducted from the deficiency given to show the true deficiency.

But should \$200,000 deficiency bonds be sold, and interest-bearing warrants be issued, as required in the deficiency appropriation, the annual interest would be again increased by said debt to the extent of the interest thereon.

Estimate of receipts and disbursements from September 1, 1880, to August 31, 1881, no deductions being made for school fund; said estimate made on the basis of assessments of 1878, and appropriations for the year beginning March 1, 1880, and ending February 28, 1881:

RECEIPTS.

1. Net ad valorem tax on assessment of 1880	\$1,075,000
2. Net revenue poll taxes of 1880.....	125,000
3. Net occupation taxes from September 1, 1880, to August 31, 1881.....	350,000
4. Net taxes on lands in unorganized counties to be paid at comptroller's office.....	50,000
5. Net land office fees.....	50,000
6. Net secretary of state's office.....	3,000
7. Net insurance department.....	1,500

Total	\$1,654,500
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DISBURSEMENTS.

1. Deficiency in revenue, year ending August 31, 1880....	\$78,537
2. Balance of appropriation for year ending Feb. 28, 1881	561,961
3. Balance of deficiency appropriation for year ending February 28, 1881.....	40,765
4. Prospective appropriation from March 1, 1881, to August 31, 1881	561,961
5. Prospective deficiency appropriation from March 1, 1881, to August 31, 1881.....	40,765

Total.....	\$1,283,989
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Receipts.....	\$1,654,500
Disbursements	1,283,989
Excess in revenue.....	370,511

Very respectfully, STEPHEN H. DARDEN, *Comptroller.*

Senator Ledbetter moved to suspend the reading of the communication and that 200 copies thereof be printed.

Motion to suspend the reading withdrawn.

Senator Swain moved to amend the motion of Senator Ledbetter by striking out "200" and inserting "1000."

Accepted and the motion adopted.

Senator Burnett entered a motion to reconsider the vote adopting the report of the finance committee against the repeal of the drummer's tax.

Senator Storey, chairman of committee on finance (by leave), submitted the following report:

COMMITTEE ROOM, AUSTIN, June 16, 1879.

Hon. J. D. Sayers, President of the Senate:

Your committee on finance have had under consideration Senate bill No. 33, entitled "An act to amend the first section of an act entitled 'an act authorizing the payment of taxes of non-residents of counties to be made at the comptroller's office,'" approved March 22, 1879, and have instructed me to report the bill to the Senate with the recommendation that it pass.

STOREY, *Chairman.*

The bill just reported by the committee was read first time.

Senate bill No. 1, entitled "An act to make an appropriation to pay the interest on the public debt for the years ending February 29, A. D. 1880, and February 28, A. D. 1881," was taken up and read third time.

(Senator Ledbetter in the chair.)

Senator Terrell moved the previous question on the passage of the bill.

Motion seconded.

Senator Houston moved a call of the Senate.

Call sustained.

Roll called. Absent—Stewart.

Senator Stewart appeared.

Senator Terrell, by unanimous consent, withdrew the motion for the previous question.

After considerable discussion Senator Storey moved the previous question.

Motion seconded.

Senator Houston moved a call of the Senate.

Call sustained.

Roll called. Absent—Brown, Ford.

Senator Edwards (by leave) introduced a bill entitled "An act to amend section 7 of 'an act to provide for the public printing, binding and stationery by contract,' approved June 24, 1876."

Referred to committee on public printing.

Senator Shannon (by leave) introduced a bill entitled "An act attaching certain unorganized counties to the county of Wheeler for judicial and other purposes."

Referred to committee on judicial districts.

Also (by leave) a bill entitled "An act to create the thirty-third judicial district of the State of Texas, and to provide for the appointment of a district judge."

Referred to committee on judicial districts.

Senator Burton introduced a bill entitled "An act to provide for the organization and support of a Normal School at Prairie View, formerly called Alta Vista, in Waller county, in this state, for the preparation and training of colored teachers, approved April 19, 1879."

Referred to committee on education.

Senator Storey presented a memorial from Mrs. A. E. Hubby and certain other teachers of Harris county, stating that they were due a balance for services rendered as teachers in the public free schools in the years 1871 and 1872, which amount the comptroller refuses to recognize and pay under the provisions of the deficiency bill, setting out the facts that

they were employed at a certain price per month, and that the board of education reduced their wages; that the teachers received the reduced wages under protest, and claim that the residue is still due them; asking, as the comptroller refuses to acknowledge the claims referred to, not because they are not just, but not being able to decide whether such claims were intended to be embraced in the deficiency bill or not, that the Legislature make special provision for the payment of these just and long delayed claims, etc.

Referred to committee on finance.

The absent senators appearing, the Senate was announced full.

The previous question, which had been moved, was seconded and main question ordered.

The pending bill was then passed by the following vote:

YEAS.

Blossingame,	Edwards,	Lane,	Storey,
Brown,	Ford,	Ledbetter,	Street,
Buchanan,	Gooch,	Martin,	Terrell,
Burnett,	Hobby,	McCulloch,	Tilson—19.
Duncan,	Lair,	Moore,	

NAYS.

Burton,	Guy,	Motley,	Shannon,
Davenport,	Homan,	Patton,	Stewart,
Grace,	Houston,	Ripetoe,	Swain—12.

Senator Houston presented the following explanation of the vote of the undersigned senator, just cast:

We, the undersigned, voting with the minority upon the passage of substitute for Senate bill No. 1, entitled "An act making an appropriation to pay the interest on the outstanding bonded indebtedness of the State of Texas falling due July 1, 1879," appear as voting in the negative for the following reasons, to wit:

1. We favored the original bill appropriating the interest annually for the next two years and are of the opinion that to appropriate now only the interest for July, 1879, is unusual and implies a doubt of the ability of the state to meet future installments of interest and thus reflects upon and injures the credit of the state at home and abroad.

2. We believe the whole amount of the annual interest for the next two years should be appropriated at once, unembarrassed by having any other measure about which there may be a difference of opinion between members of the Legislature attached thereto.

3. We believe that the majority refuse to make the full appropriation, not because they do not know the ability of the state to meet all obligations of future interest, but with the view of attaching other measures obnoxious to at least a respectable minority of the Senate to a general appropriation bill hereafter to be presented, thus hoping to coerce the minority into the support of such obnoxious measures.

4. We are satisfied such a policy is unwise and that it will result in injury to the credit of the state and the best interests of the people of Texas.

HOUSTON,
PATTON,
HOMAN,
STEWART,
SWAIN,
DAVENPORT,

GUY,
SHANNON,
MOTLEY,
GRACE,
BURTON,
RIPETOE.

On motion of Senator Motley, the Senate adjourned until 9 o'clock A. M. to-morrow.